

Licensing Committee Minutes

The minutes of the Licensing Committee meeting of Wyre Borough Council held on Tuesday, 20 August 2024 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Licensing Committee members present:

Councillors Birch, Ellison, Baxter, Minto, Moliner, Nicholls and Rushforth

Absent- apologies received:

Councillors Leigh and Swift

Absent- apologies not received

Councillors Smith, B Stephenson and C Stephenson

Officers present:

George Ratcliffe, Democratic Services Officer
Patrick Cantley, Senior Licensing Officer
Jack Tickle, Democratic Services Officer
Catherine Greener, Legal Executive
Jenette Hicks, Senior Licensing Officer
Angela Parkinson, Solicitor
Emma Cross, Assistant Democratic Services Officer

No members of the public or press attended the meeting.

16 Declarations of Interest

None.

17 Confirmation of minutes

The minutes of the meeting of the Licensing Committee held on the 1 August 2024 were **confirmed** as a correct record.

18 Exclusion of the public and press

In accordance with paragraph 11 of the Access to Information Rules in Part 4 of the Council's Constitution, the Chief Executive had determined that the report submitted under agenda item 5 of the agenda were "Not for Publication", as defined in schedule 12 A of the Local Government Act 1972.

The Committee passed the following resolution “That the public and press be excluded from the meeting whilst agenda items 5 and 6 were being considered, as they referred to exempt information as defined in category 1 (information relating to any individual) Variation Order 2006 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information”.

The Chair confirmed that the Committee would review item 6 before item 5, as the applicant for item 6 had turned up to the meeting for his hearing and the applicant for item 5 was not able to attend for his hearing.

19 Application for the renewal of a Wyre dual driver's licence

The Chair introduced the committee and the officers in attendance at the meeting.

The applicant introduced themselves. The Chair ensured that the committee had received all necessary information and paperwork for the hearing.

Jenette Hicks, the Senior Licensing Officer, introduced the report. She explained that the applicant was before members to determine whether they were a ‘fit and proper person’ to hold a Wyre Council Dual Driver’s Licence.

Jenette Hicks highlighted that a decision on whether to defer the applicant’s application for the renewal of the dual driver’s licence would be taken once all information had been heard during the meeting. The applicant had applied to renew their Wyre dual drivers’ licence, but the medical report submitted as part of the application revealed a medical condition which meant that the applicant did not meet the medical standard required of Wyre dual licenced drivers. Treatment for the condition had recently commenced but the applicant confirmed that a review with their consultant is due to take place in September 2024, which should provide further information on the effectiveness of their treatment.

The applicant spoke on behalf of themselves. They explained that since receiving their prescribed treatment that they had noticed improvements in their overall physical health.

The applicant confirmed that they were content to wait until they had received the medical report before the committee made a final decision on whether to renew their licence. The applicant told the committee that the report would likely be received by October 2024.

It was recommended that the application was deferred and a timescale for the hearing on the renewal of the dual driver’s licence given once the applicant’s medical consultant had provided their report.

The committee provided some questions and comments which are summarised as follows:

Councillor Baxter asked the applicant if they were able to use their prescribed treatment effectively and for its intended purpose. The applicant confirmed that that the treatment was contributing to noticeable improvements in their physical health.

The Chair also questioned comments made in a medical report received by the council's licensing team, whether the applicant's blood glucose levels had spiked in May 2023. The applicant confirmed that they used a machine which attached to their arm and monitored if blood sugar levels were too low. This was then connected to a mobile app which recorded continuous readings monthly.

The applicant was then invited by the Chair to summarise their case. The applicant reiterated that they had noticed marked improvements since beginning the treatment.

The applicant and Senior Licensing Officers left the room to allow the committee to discuss their recommendation in private session.

In reaching their decision, the committee considered:

1. The Council's own Hackney Carriage and Private Hire Policy.
2. The Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Committee then reconvened, and the Chair announced the decision.

Decision

The Committee unanimously voted to await the medical report before determining whether the applicant was a fit and proper person to hold a Wyre Council's Dual Driving Licence.

20 Review of a Wyre dual driver's licence

Jenette Hicks, the Senior Licensing Officer, introduced the report. She explained that the item had been removed from the agenda as the applicant's dual driver's licence had been reviewed under emergency powers on 13 August by Clare James, the Director of Finance and Governance (Section 151 Officer), a delegated officer for this function.

Following the review, the decision of Clare James was that the licensed drivers Wyre dual drivers' licence be revoked with immediate effect on the grounds of public safety and due to the applicant no longer being considered a "fit and proper" person to hold a Wyre dual drivers' licence.

The meeting started at 6:01pm and finished at 6:43pm.

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